REMARKS

In response to the Office Action of June 26, 2008, claims 1, 10, 14, and 18 have been amended, claims 12 and 13 have been cancelled and claim 19 has been added.

Claims 1, 14, and 18 have been amended to correct informalities in the claims

Claims 10 has been amended to recite a computer readable medium. Support for the amendments can be found in the claim as it originally submitted.

Claim 19 has been added to recite the apparatus of claim 14, but written using means plus function terminology.

Claim Objections

At page 2, claims 1, 3, 14 and 18 are objected to for being written with dashes. With this amendment, these claims have been rewritten without dashes, thus it is respectfully submitted the claims are in proper form.

Claim Rejections- 35 USC § 101

At page 2, claims 12 and 13 are rejected under 35 U.S.C. 101 because they are directed to a non-statutory subject matter. In response to this rejection, both claims have been cancelled. Thus, the rejections are considered moot.

Claim Rejections- 35 USC § 102

At page 2, claims 1, 2, 6, 7, 9-11, 14, 15, 17, and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Unreal Tournament Game Manual, October 2000 (hereinafter Unreal Tournament).

With respect to claim 1, it is asserted that Unreal Tournament discloses running a multi-player game application, receiving an indication that said player taking part in said multi-player game is absent, and continuing the game by simulating the participation of

said player who is actually absent, with reference made to pages 11 and 12. Applicant respectfully disagrees.

It is asserted by the Office that in Unreal Tournament, "[y]ou can set a minimum number of players such that if a player drops out of a multi-player match, and the total number of players falls below the minimum number, the player is replaced with a bot. The bot simulates the participation of a player in that it attempts to get killed." While it is true that Unreal Tournament discloses the use of bots, it only discloses how bots are used in a single player game, not in a multi-player game.

More particularly, "bots" are described on page 11 of Unreal Tournament. According to the disclosure, bots are used in the Practice Session, a mode which is "identical to playing in the Tournament" (Unreal Tournament, page 9). The Tournament is "a single player game" (Unreal Tournament, page 8). The invention of claim 1 is directed towards simulating the participation of a player who is absent from a multi-player game. As it is commonly understood, a multi-player game is ordinarily played by two or more human controlled participants. The game mode in which bots are used in Unreal Tournament only involves one human controlled participant and several computer controlled participants, which cannot be viewed as "players" in the context of claim 1. Thus, this use of bots in Unreal Tournament is clearly distinct from claim 1 because bots do not simulate the participation of a player absent from a multi-player game, but are used for the purposes of carrying on the single-player mode of the game.

Furthermore, in the multi-player mode of Unreal Tournament, while it is noted that the mode may use bots in some capacity as the menu for multi-player mode is similar to that of the Practice Session, it does not describe how bots are used in this mode. However, it is clear that multi-player mode does not use them to simulate the participation of a player in the manner asserted by the Examiner. As stated on page 12, the player may "set the maximum number of players possible." It does not disclose that the player may set the minimum number of players possible. Thus, there are no grounds for interpreting Unreal Tournament so that the game has a minimum number of

players, whereby falling below the minimum would cause a bot to simulate the participation of missing players.

Even if one were using the "Force Respawn option" described on page 12 of Unreal Tournament, it still would not disclose the invention of claim 1. It is described as the ability for "players on your server to respawn immediately after death" (Unreal Tournament, page 12). This cannot be construed so that a killed player is "respawned" as a bot. The player is clearly "respawned" as the user's avatar and automatically returns to the game. Without a possibility to leave the game, there is no possibility to simulate the user's participation.

Therefore, it is respectfully submitted that Unreal Tournament completely fails to disclose any kind of scenario in which a user quits or becomes absent to a running multi-player game and the participation of the user actually being absent may be simulated to prevent a user having to abandon the game due to a lack of competitors.

Thus, it is respectfully submitted that claim 1 is not anticipated by Unreal Tournament and is in allowable form.

Because independent claims 14 and 18 are rejected for the same reasons as independent claim 1, it is respectfully submitted that they are also in allowable form.

Claims 2, 6, 7, 9, 10, and 15 are dependent upon the aforementioned independent claims, therefore, at least in view of such dependency, it is respectfully submitted that these claims are in allowable form.

Claim Rejections- 35 USC § 103

At page 4, claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Unreal Tournament in view of Begis (US 6,024,643). At page 5, claims 8 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Unreal Tournament.
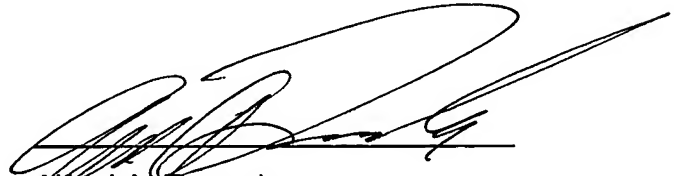
Claims 3-5 and 8 are ultimately dependent upon independent claim 1 and claim 16 is dependent upon claim 14, which as stated above are allowable form. As Begis also does not disclose the features of the independent claims, it is respectfully

submitted that at least in view of their dependency on independent claims in allowable form, claims 3-5, 8 and 16 are in allowable form.

In view of the foregoing, it is respectfully submitted that the present application as amended is in condition for allowance and such action is earnestly solicited.

Respectfully submitted,

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